

SENATE BILL 2466
By Cohen

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29
and Title 63, Chapter 5, relative to dentistry.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 5, is amended by adding
Sections 2 through 25 of this act as a new part thereto.

SECTION 2. To assist the board of dentistry in the performance of its duties, there is
hereby established the committee on dental hygiene, referred to in this chapter as the
"committee".

SECTION 3. The committee shall reflect the diversity and professional status of the
practice of dental hygiene in Tennessee and shall consist of three (3) practicing registered
dental hygienists, one (1) practicing dentist and one (1) consumer member whose duty it is to
carry out the provisions of this part.

SECTION 4.

(a) The governor shall appoint the members of the committee. One (1) hygienist
member shall be chosen from each grand division of the state. One (1) of the hygienists shall
be the hygiene representative on the board of dentistry. The remaining hygienist members shall
be selected from a list of ten (10) hygienists submitted to the governor by the Tennessee Dental

Hygienists Association. The dentist member shall be selected from a list of ten (10) dentists submitted to the governor by the Tennessee Dental Association.

(b) After the initial appointments, the members of the committee shall serve terms of three (3) years. Two (2) members initially appointed to the committee shall be appointed to serve a three-year term; two (2) members shall be appointed to serve a two-year term; and one (1) member shall be appointed to serve a one-year term. No member is eligible to serve on the committee for more than two (2) consecutive full terms, but any person thus ineligible shall thereafter be eligible for nomination and appointment to the committee, as herein provided, after three (3) years have elapsed since that person's previous service on the committee.

(c) The appointments to the committee shall be made not later than one (1) month after the expiration of the term of office of any member and a delay in a member's appointment shall be deducted from the term of the appointment.

(d) Members of the committee shall continue in office until the expiration of the terms for which they were respectively appointed and until such time as their successors have been duly appointed.

(e) In making appointments to the committee the governor shall strive to ensure that one (1) member is age sixty (60) or older and one (1) member is a member of a racial minority.

(f)(1) A member of the committee may be removed upon one (1) or more of the following grounds:

(A) The refusal or inability for any reason of a committee member to perform that member's duties in an efficient, responsible and professional manner;

(B) The misuse of office by a member of the committee to obtain personal, pecuniary or material gain or advantage for that member or another through such office;
or

(C) The violation of this chapter or of any of the rules and regulations of the committee hereafter properly promulgated.

(2) The proceedings for such removal shall be in accordance with the provisions of title 8, Chapter 47.

SECTION 5.

(a) The committee shall meet at least three (3) times annually and at such times and places as it may deem necessary for the proper discharge of its duties.

(1) At its first meeting each year the committee shall elect from its membership a president, vice president and secretary-treasurer.

(2) A majority of the members shall constitute a quorum for the transaction of business.

(3) The proceedings of the committee shall be recorded and shall constitute a public record.

(b) The committee shall maintain and make available to the board of dentistry a permanent record which shall list the name, address, and license or certificate number of all persons licensed as dental hygienists.

(c) The committee shall mail a copy of the law regulating the practice of dental hygiene to each person who is hereafter licensed to practice dental hygiene.

SECTION 6.

(a) The committee has the following powers and duties in addition to the powers and duties granted to or imposed upon it by the other sections of this chapter:

(1) Prescribe rules and regulations for examination of candidates;

(2) Conduct examinations to ascertain the qualifications and fitness of applicants for licenses to practice as a dental hygienist;

(3) Provide standards by which schools of dental hygiene are approved;

(4) Issue, under the board's name, licenses to applicants who successfully pass the examination for the practice of dental hygiene and who pay a nonrefundable application fee as set annually by the committee;

(5) Conduct hearings to revoke, suspend or otherwise lawfully discipline the holder of any license or certificate issued under the authority of this chapter or any previous laws authorizing the holder thereof to practice dental hygiene for violations, by the licensee or certificate holder, of any of the provisions of this chapter, or any rule of the committee hereafter properly promulgated by the committee; and

(6) Make such rules and regulations as are necessary to carry out and make effective the provisions of this chapter.

(b) Any actions taken under this section shall only be effective after review by the board at the next board meeting at which administrative matters are considered following the adoption by the committee. Any actions taken under this section shall be construed to be approved by the board unless the board rejects an action by a two thirds (2/3) vote of the members to which the board is entitled.

SECTION 7. The committee shall make an annual report of its proceedings and activities to the board, with copies to be made available to any interested parties.

SECTION 8.

(a) It is unlawful for any person to practice dental hygiene in this state, except those persons who are now licensed or certified as such pursuant to law and those who may hereafter be licensed or certified and registered pursuant to this act.

(b) It is unlawful for any person so licensed or certified to practice dental hygiene in any calendar year unless or until such person has paid the annual renewal fee for that year as provided herein.

(c) (1) Each person licensed as a dental hygienist in accordance with this act is required to attend and complete each year (except in the year of initial licensure) such number of hours of committee-approved continuing education courses as are prescribed by the committee, subject to a minimum of fifteen (15) and a maximum of thirty (30) clock hours. Sponsors of such

courses shall submit a sufficient description of course content to the committee in order to obtain approval. The committee may approve all, part or none of the course at its discretion. Additional procedures for implementing this requirement may be adopted by the committee in its regulations. The committee may waive all or part of the continuing education requirements in unusual situations in which an applicant for renewal has demonstrated inability to attend such courses not attributable to fault of the applicant. The committee shall have discretion to require completion of continuing education courses of a type and number of hours satisfactory to the committee in cases involving license renewal of dental hygienists who have not actively practiced or have been retired from practice for more than two (2) years. In addition to the foregoing, all applicants shall provide proof of current CPR certification by an organization approved by the committee unless such requirement is waived by the committee in its discretion.

(2) The committee may, but is not required to, monitor or verify certificates of completion submitted by applicants for license renewal. In its discretion, by random sample or in individual cases, the committee may require proof of attendance or otherwise investigate compliance with this subsection.

SECTION 9.

(a) Any person is deemed to be practicing dental hygiene who engages or offers to engage in those clinical procedures primarily concerned with the performance of preventive dental services not constituting the practice of dentistry, including removing all hard and soft deposits by scaling or curettage from the surfaces of the human teeth to the depth of the gingival sulcus, performing clinical examination of teeth and surrounding tissues for diagnosis by the dentist, and performing such other procedures as may be delegated by the dentist, including subgingival scaling, root planing, gingival curettage and polishing consistent with the provisions of this chapter and in accordance with the rules and regulations of the committee, under supervision of a licensed and registered dentist. No person shall practice dental hygiene

in a manner which is separate or independent from a supervising dentist, or establish or maintain an office or a practice that is primarily devoted to the provision of dental hygiene services. A dental hygienist shall perform, under direct supervision only, root planing and subgingival curettage. Under general supervision a dental hygienist may provide to patients, for not more than fifteen (15) consecutive business days, all other dental hygiene services not otherwise limited to direct supervision by this chapter or rules adopted by the committee, if all the following requirements are met:

- (1) The dental hygienist has at least one (1) year, full-time, or an equivalent amount of experience practicing dental hygiene;
- (2) The dental hygienist complies with written protocols for emergencies which the supervising dentist establishes;
- (3) The supervising dentist examined the patient not more than seven (7) months prior to the date the dental hygienist provides the dental hygiene services;
- (4) The dental hygienist provides dental hygiene services to the patient in accordance with a written treatment plan developed by the supervising dentist for the patient; and
- (5) The patient is notified in advance of the appointment that the supervising dentist will be absent from the location and that the dental hygienist cannot diagnose the patient's dental health care status.

(b) Any duly licensed and registered dentist may assign to duly licensed and registered dental hygienists, as defined by the committee or dentistry in rules and regulations, any tasks or procedures to be performed in the dentist's office for which a licensed and registered dentist exercises direct supervision and full responsibility, except those procedures requiring professional judgment or skill; provided, that duties involving the removal of hard and soft deposits by scaling or curettage from the surfaces of human teeth are assigned only to duly licensed and registered dental hygienists. Tasks and procedures assignable to licensed and

registered dental hygienists shall include those enumerated in the committee's regulations as of January 1, 1990, and such other additional tasks and procedures as the committee of dentistry or the committee of dental hygienists may deem appropriate in the future. Procedures requiring professional judgment or skill not assignable to such dental hygienists include the following:

(1) Diagnosis and treatment planning; oral surgery; the cutting of hard and/or soft tissues excluding any cutting of such tissues involved in subgingival scaling, root planing and gingival curettage, and any intra-oral procedures which would affect the function and/or efficiency of an appliance which, when worn by the patient, would come in direct contact with hard or soft tissue and which could result in tissue irritation or injury;

(2) The placing of permanent fillings or restorations in or on teeth; and

(3) Administration of a general or local anesthetic, except for a topical anesthetic in connection with a dental operation.

(c) A licensed dentist may not allow, under general supervision, more than three (3) dental hygienists to work at any one (1) time.

SECTION 10. The following persons, acts, practices and operations are exempt from the other provisions of this chapter:

(1) The practice of dental hygiene in the discharge of their official duties by dental hygienists in the United States public health service, army, navy, air force, coast guard or veterans administration;

(2) The practice of dental hygiene by licensed dental hygienists of other states or countries at meetings of the Tennessee Dental Association or Pan Tennessee Dental Association, or component parts thereof, alumni meetings of dental colleges or any other like dental organizations while appearing as clinicians;

(3) Licensed dental hygienists of other states who are called into Tennessee by licensed dentists of this state for consultative or operative purposes if the committee or its designee gives discretionary advance approval in each such instance;

(4) The practice of dental hygiene, by graduates of schools or colleges recognized by the committee who are duly licensed in other states in the discharge of their official duties in state-supported institutions or official health agencies or other special projects approved by the committee between the time of their employment as such and the next examination and licensing by the committee;

(5) The practice of dental hygiene by students under the supervision of instructors in any school of dental hygiene recognized by the committee, but such activities shall not be carried on for profit;

(6) Graduates of dental hygiene schools or colleges recognized by the committee employed by licensed hospitals or other agencies recognized and approved by the committee;

(7) Personnel involved in research or developmental projects, approved by the committee, which are under the auspices and direction of a recognized educational institution or the department of health; and

(8) Dental hygienists duly licensed in other states who desire to work with special projects recognized and approved by the committee may do so under the sponsorship of a local dentist and the auspices of the local dental society for a period of six (6) months.

SECTION 11.

(a) The committee may conduct examinations at such times and places as it may designate and charge each examinee a fee for each examination taken as set annually by the committee.

(1) The examination may be written or oral, or both, shall include subjects as may be designated by the committee, and may also include practical tests, working operations and demonstrations, within the discretion of the committee.

(2) The committee may recognize a certificate granted by the Commission on the National Board or accept the results of the Southern Regional Testing Agency, or by

either organization in lieu of, or subject to, such examinations as may be required by the committee.

(b) If the applicant successfully passes the examination and is found worthy, the committee shall direct the division to issue a license to that applicant.

(1) The committee may, within its discretion, refuse to grant a certificate to any person found guilty of making false statements, cheating or of any fraud or deception, either in applying for or in taking the examination.

(2) The committee may, within its discretion, refuse to issue a license to any person who fails to apply for the same within ninety (90) days following notification of successful completion of all requirements for the licensure.

SECTION 12.

(a) The committee is authorized to issue licenses to dental hygienists who are citizens of the United States or Canada, or who have graduated and received a diploma from a dental hygiene program accredited by the American Dental Association's Commission on Dental Accreditation, which provides a minimum of two (2) academic years of dental hygiene curriculum, and which may be completed in a period of time less than two (2) years, in or through an institution of higher education accredited by an agency recognized by the United States Department of Education to offer college-level programs, and who have successfully passed such examinations as may be established by the committee. The committee may recognize a certificate granted by the Joint Commission of National Dental Examinations or accept the results of the Southern Regional Testing Agency, or by either organization in lieu of, or subject to, such examinations as may be required by the committee.

(b)

(1) Each applicant for a license as a dental hygienist shall pay a nonrefundable application fee to the committee, as set by the committee.

(2) Any applicant submitting to an examination conducted by the committee shall, in addition to the application fee, pay a nonrefundable examination fee as set by the committee.

(3) The license shall be of the type and kind agreed upon by the committee.

(c) The secretary of the committee shall keep a separate register showing the names and addresses of all dental hygienists so licensed by the committee.

(d) The committee is authorized in its discretion to issue a license by criteria approval to any dental hygienist who:

(1) Is licensed and has, pursuant to that license, actively engaged in practice for three (3) years or more in another state or states;

(2) Is a graduate of and received a diploma from a dental hygiene program accredited by the American Dental Association's Commission on Dental Accreditation, which provides a minimum of two (2) academic years of dental hygiene curriculum, and which may be completed in a period of time less than two (2) years, in or through an institution of higher education accredited by an agency recognized by the United States Department of Education to offer college-level programs; and

(3) Submits satisfactory evidence of good moral character and professional competence, including a certificate to that effect from the licensing or registration committee from all states in which the applicant has held a license, upon payment of a nonrefundable fee as set by the committee.

(e) The committee is authorized in its discretion to issue a limited license for educational purposes to any dental hygienist who is duly licensed or registered to practice in any other state, who meets the requirements of the committee and who submits satisfactory evidence of good moral character and professional competence, including a certificate to that effect from the licensing or registration committee from all states in which the applicant has held a license, upon payment of a nonrefundable fee as set by the committee.

(f) The committee may in its discretion revoke a license to any person who fails to register the license with the committee within ninety (90) days following notification of licensure.

SECTION 13.

(a) Licensed and registered dental hygienists are specifically permitted to participate unsupervised in educational functions involving organized groups or health care institutions regarding preventive oral health care. Dental hygienists are permitted to participate in health screenings and similar activities; provided, that no remuneration is given by the organized group to any hygienist or the hygienist's employer for participating in these activities.

(b) Dental hygienists licensed and registered pursuant to this chapter are specifically permitted to render such services as authorized in § 63-5-108, or by regulation of the committee of dentistry or the committee of dental hygienists in licensed health care institutions, as prescribed by the supervising dentist. Dental hygienists rendering such service shall be under such supervision as described in written protocol which must be approved in advance by the committee of dentistry or by a member designated by the committee of dentistry.

SECTION 14. The board of dentistry, upon the recommendation of the committee on dental hygienists, may revoke or suspend the license and/or registration of, assess a civil penalty not in excess of five hundred dollars (\$500) for each separate violation against, or otherwise lawfully discipline, any dental hygienist violating any of the provisions of this act.

SECTION 15.

(a) Each licensed dental hygienist shall pay a renewal fee as set by the committee, payable in advance. Such fees shall become part of the fees of the committee and handled in the same manner as other fees of the committee. The secretary shall notify all licensed dental hygienists each year that the fee is due.

(b) When any licensed dental hygienist fails to register and pay the registration fee within sixty (60) days after registration becomes due, as provided in this section, the license or certificate of such person shall be automatically revoked without further notice or hearing. Any

person whose license or certificate is automatically revoked as provided herein may make application in writing to the board of dentistry and to the committee on dental hygienists for the reinstatement of such license or certificate and, upon good cause being shown, the board and the committee in their discretion may reinstate such license or certificate upon payment of all past-due renewal fees, and upon the further payment of a sum as set by the committee.

SECTION 16. Anyone who is licensed or certified and is an ethical practitioner of dental hygiene in the state, and who is of good moral character, who desires to change residence to another state, territory, the District of Columbia or to a foreign country, upon application to the committee shall receive a special certificate or endorsement signed by the secretary and bearing the seal of the committee, which shall attest such facts, the date of licensure or certification, and such other facts as may be deemed necessary. The nonrefundable fee for each certificate or endorsement shall be set by the committee.

(a) The members of the committee shall receive as compensation the sum of one hundred dollars (\$100) for each day they are actually engaged in the duties of the committee in Tennessee, and all necessary expenses incurred in attending the meetings of the committee. All reimbursements for travel expenses shall be in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

(b) All fines, fees and penalties provided for in this chapter, whether imposed or required by the committee or assessed or imposed by a court, judge or jury, shall belong to and be paid to the committee.

SECTION 17. The holder of the license to practice dental hygiene shall, at all times, upon request, exhibit such license along with the annual renewal receipt to any of the members of the committee, or its authorized agent, or to any officer of the law.

SECTION 18. Except where dental hygiene services are regularly made available to employees by their employer, or where dental hygiene services are being provided by an official

agency of the state government, or any subdivision, any nonprofit organization, hospital or any health maintenance organization, it is unlawful for any licensed dental hygienist to practice dental hygiene as an employee of any person or other entity not engaged primarily in the practice of dental hygiene.

SECTION 19.

(a) The committee has the power, and it is its duty, to deny, suspend or revoke the license of, assess a civil penalty not in excess of five hundred dollars (\$500) for each separate violation against, or otherwise lawfully discipline, the holder of any license to practice dental hygiene whenever the licensee or certificate holder is guilty of violating any of the provisions of this act or of the following acts or offenses:

(1) Unprofessional, dishonorable or unethical conduct;

(2) A violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this act or any lawful order of the committee issued pursuant thereto, or any criminal statute of the state of Tennessee;

(3) Making false or misleading statements or representations, being guilty of fraud or deceit in obtaining admission to practice, or in being guilty of fraud or deceit in the practice of dental hygiene;

(4) Gross malpractice, or a pattern of continued or repeated malpractice, ignorance, negligence or incompetence in the course of professional practice;

(5) Habitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances, or other drugs or stimulants, such as, but not limited to, nitrous oxide sedation, in such manner as to adversely affect the person's ability to practice dental hygiene;

(6) Conviction of a felony, conviction of any offense under state or federal drug laws or conviction of any offense involving moral turpitude;

(7) Making or signing in one's professional capacity any certificate that is known to be false at the time one makes or signs such certificate;

(8) Engaging in the practice of dental hygiene when mentally or physically unable to safely do so;

(9) Solicitation by agents or persons of professional patronage or profiting by the acts of those representing themselves to be agents of the licensee or the certificate holder;

(10) Division of fees or agreeing to split or divide fees received for professional services with any person for bringing or referring a patient;

(11) Giving of testimonials, directly or indirectly, concerning the supposed virtue of secret therapeutic agents or proprietary preparations, such as remedies, vaccines, mouth washes, dentifrices or other articles or materials which are offered to the public, claiming radical cure or prevention of diseases by their use; or

(12) Any other unprofessional or unethical conduct which may be specified by the committee by the means of rules and regulations duly published and promulgated by the committee, or the violation of any provision of this chapter;

(b) In enforcing this section, the committee shall, upon probable cause, have the authority to compel an applicant or license or certificate holder to submit to a mental and/or physical examination by a designated committee of at least three (3) practicing physicians, including a psychiatrist where a question of mental condition is involved. The applicant or license or certificate holder may have an independent physical or mental examination, which examination report shall be filed with the committee for consideration. The committee shall submit a report of its findings to the committee for use in any hearing that may thereafter ensue.

(c) The committee on its own motion may investigate any report indicating that a dental hygienist is or may be in violation of the provisions of this act. Any dentist, dental hygienist, dental assistant, dental or dental related society or association, or any other person who in good

faith reports to the committee any information that a dental hygienist is or may be in violation of any provisions of this act is not subject to suit for civil damages as a result thereof.

(d) In assessing a civil penalty pursuant to this act, the committee should consider the following:

- (1) The harm or potential harm of the violation to the public health and welfare;
- (2) The extent to which the public was exposed to such harm or potential harm;
- (3) The rate, duration and severity of the violations;
- (4) The value of the penalty as a deterrent to future violations;
- (5) Attempts by the violator to mitigate the harm to the public; and
- (6) Such other specific criteria as the committee may wish to establish by duly promulgated regulation.

SECTION 20. All proceedings for disciplinary action against a licensee or certificate holder under this act shall be conducted in accordance with the Uniform Administrative Procedures Act, compiled in Title 4, Chapter 5.

SECTION 21.

(a) The committee, in addition to the powers and duties expressly granted by this act in the matter of suspension or revocation of a license and in the matter of the refusal to issue a certificate, is authorized and empowered to petition any circuit or chancery court, having jurisdiction, to enjoin any person who is practicing or attempting to practice dental hygiene without possessing a valid license to so practice, and to enjoin any person, firm or corporation from performing any act or rendering any service which constitutes the practice of dental hygiene. No injunction bond shall be required of the committee.

(b) Jurisdiction is conferred upon the circuit and chancery courts of the state to hear and determine such causes as chancery causes and to exercise full and complete jurisdiction in such injunctive proceedings.

SECTION 22. The committee at all times has the power to call upon the district attorneys general for the state in the various districts to assist the committee. It is the duty of all district attorneys general throughout the state to assist the committee, upon its request, in any suit for injunction or prosecution instituted by the committee without charge or additional compensation to the district attorneys general.

SECTION 23.

(a) Any person who violates any provision of Section 8 (a) commits a Class B misdemeanor.

(b) After being convicted of any violation of any of the provisions of Section 8 (a), any person who again violates any of the provisions of Section 8 (a) commits a Class E felony.

(c) Any person who has been enjoined by a court of competent jurisdiction from performing any acts or rendering any services which constitute the practice of dental hygiene as defined in Section 9, who thereafter willfully violates the terms of the injunction by again performing such acts or rendering such services, commits a Class E felony.

SECTION 24. Any person licensed to practice dental hygiene in this state, who has retired or may hereafter retire from such practice in this state, is not required to register as required by this act; provided, that such person files with the committee an affidavit on a form to be furnished by the committee, which affidavit states the date on which such person retired from such practice and other such facts as tend to verify such retirement as the committee deems necessary. If such person thereafter reengages in the practice of dental hygiene in this state, such person shall apply for registration with the committee as provided by this act.

SECTION 25. Any person licensed to practice dental hygiene in this state, who is an officer in the commissioned dental corps of the army, navy, air force or the public health service of the United States, shall not be required to register as required in this act. Such person shall file with the committee an affidavit on a form to be furnished by the committee, which affidavit shall state the date on which such person entered the army, navy, air force or the public health

service of the United States and such other facts as shall tend to verify such service as the committee shall deem necessary. When such person resigns or is honorably discharged from one (1) of the aforementioned services and engages in the practice of dental hygiene in this state or any other state, such person shall within thirty (30) days apply for registration with the committee as provided for in this act.

SECTION 26. Tennessee Code Annotated, Section 63-5-101(a), is amended by deleting the words "of dental hygiene".

SECTION 27. Tennessee Code Annotated, Section 63-5-105, is amended in subdivision (2) by deleting the language "dental hygienist or"; in subdivision (3) by deleting the language "schools of dental hygiene,"; in subdivision (4) by deleting the language "and dental hygiene"; and in subdivision (5) by deleting the language "dental hygiene,".

SECTION 28. Tennessee Code Annotated, Section 63-5-107, is amended in subsection (a) by deleting the comma after the word "dentistry" and by substituting instead the word "or" and by deleting the language "or dental hygiene"; in subsection (b) by deleting the language "or to practice dental hygiene"; and in subsection (c) by deleting the language "or dental hygienist", the language "or dental hygienists" and the language ", dental hygienist".

SECTION 29. Tennessee Code Annotated, Section 63-5-108, is amended by deleting subsections (b), (c) and (d) in their entirety, redesignating subsequent subsections accordingly.

SECTION 30. Tennessee Code Annotated, Section 63-5-109, is amended in subdivision (2) by deleting the language "and dental hygiene" and the language "and by dental hygienists", in subdivision (3) by deleting the language "or the practice of dental hygiene by licensed dental hygienists", in subdivision (4) by deleting the language "or dental hygienists", in subdivision (5) by deleting the language "or of dental hygiene", in subdivision (6) by deleting the language "or of dental hygiene" and "or school of dental hygiene" and by deleting the comma between the word "college" and the word "university" and inserting the word "or", in subdivision

(9) by deleting the language "and dental hygiene", and in subdivision (12) by deleting the language "and dental hygienists".

SECTION 31. Tennessee Code Annotated, Section 63-5-114, is amended by deleting the section in its entirety.

SECTION 32. Tennessee Code Annotated, Section 63-5-115, is amended by deleting subsections (c) and (d) in their entirety and by substituting instead the following language:

(c) Registered dental assistants are specifically permitted to participate unsupervised in educational functions involving organized groups or health care institutions regarding preventive oral health care.

SECTION 33. Tennessee Code Annotated, Section 63-5-116, is amended by deleting subsection (b) in its entirety.

SECTION 34. Tennessee Code Annotated, Section 63-5-117, is amended by deleting subsection (b) in its entirety and by deleting from subsection (d) the language ", licensed dental hygienist".

SECTION 35. Tennessee Code Annotated, Section 63-5-118, is amended by deleting the language "or dental hygiene".

SECTION 36. Tennessee Code Annotated, Section 63-5-120, is amended by deleting the language "or dental hygiene".

SECTION 37. Tennessee Code Annotated, Section 63-5-124, is amended:

(1) in subsection (a) by deleting the language "practice dental hygiene or" in the language preceding the colon, in subdivision (3) by deleting the language "or dental hygiene", in subdivision (5) by deleting the language ", dental hygiene", in subdivision (9) by deleting the language ", dental hygiene,"; and

(2) in subsection (c) by deleting the language ", dental hygienist" wherever such language appears, and by deleting the language ", dental hygienist,".

SECTION 38. Tennessee Code Annotated, Section 63-5-126(a), is amended by deleting the language "or dental hygiene" and the language "or dental hygiene as defined in §63-5-108".

SECTION 39. Tennessee Code Annotated, Section 63-5-129, is amended by deleting the language "or dental hygiene" wherever it appears.

SECTION 40. Tennessee Code Annotated, Section 63-5-130, is amended by deleting the language "or dental hygiene" wherever it appears.

SECTION 41. Tennessee Code Annotated, Section 63-5-131, is amended by deleting the language "dental hygienists".

SECTION 42. Tennessee Code Annotated, Section 4-29-222(a), is amended by adding a new item thereto, as follows:

() Committee on dental hygiene, created by Section 2 of this act;

SECTION 43. For the purpose of appointing members to the committee and for promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes it shall take effect January 1, 2001, the public welfare requiring it.